

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q92027

Eiju SUZUKI, et al.

Appln. No.: 10/562,157

Group Art Unit: 1796

Confirmation No.: 6585

Examiner: Fred M. Teskin

Filed: December 23, 2005

For: BUTADIENE-BASED POLYMER AND METHOD OF PRODUCING THE SAME
AS WELL AS RUBBER COMPOSITION AND TIRE USING THE SAME

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith.

The present Information Disclosure Statement is being filed after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution in the application (whichever is earlier), and therefore Applicant is filing concurrently herewith a Statement Under 37 C.F.R. § 1.97(e). No fee under 37 C.F.R. § 1.17(p) is required.

Applicant submits herewith a copy of an Office Action issued on December 5, 2008 in a corresponding Chinese application, in which the listed documents were cited.

Applicant notes that JP 2002/187908 cited in the same Action was previously submitted with the Information Disclosure Statement filed December 23, 2005.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant submits the following explanations:

1. An English language abstract of WO 03/097708 submitted herewith constitutes a concise statement of relevance of CN 1649919 (corresponding to WO 03/097708).
2. An English language abstract of CN 1296982 submitted herewith constitutes a concise statement of relevance of CN 1296982.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

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Attorney Docket No.: Q92027

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Hui C. Wauters
Hui C. Wauters
Registration No. 57,426

Date: January 28, 2009

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STATEMENT UNDER 37 C.F.R. § 1.97(e)

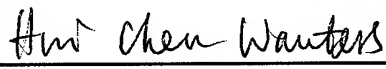
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

The undersigned hereby states, upon information and belief:

That each item of information contained in the Information Disclosure Statement filed concurrently herewith was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of said Information Disclosure Statement.

Respectfully submitted,

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